SUPREME COURT ORDERS NEW FRED HAMPTON TRIAL

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TOWARD PEACE IN THE MIDDLE EAST



Black Panther Party President HUEY P. NEWTON and PLO chairman YASIR ARAFAT. *(See pages 8-9.)*

HAITIAN REFUGEES WIN MAJOR COURT VICTORY

(Miami, Fla.) - A federal district judge declared in early July that the Immigration and Naturalization Service (INS) had knowingly violated "the constitutional, statutory, treaty and administrative rights" of thousands of Haitian refugees seeking political asylum in this country.

Judge James L. King, ruling in a class-action lawsuit brought by more than 4,000 Haitians, ordered that the service take no further action against the plaintiffs until the government had presented him with an acceptable plan for reconsidering their asylum claims. That plan, he said, must eliminate the "wholesale violations of due process" that he found had characterized the service's previous denials of those claims, the *New York Times* reports.

"Haitians who came to the U.S. seeking freedom and justice did not find it," Judge King wrote in a 180-page decision. Instead, he said, "they were confronted with an INS determined to deport them," and to do so "irrespective of the merits of their asylum claims."

ASYLUM

The Haitians had contended that the mere act of seeking political asylum in this country would prompt the government of Jean-Claude Duvalier, Haiti's President-for-Life, to view them as opponents of his regime, and that many of them would be subject to political persecution if forced to return home.

The government had argued that nearly all the Haitians here were merely seeking better economic conditions and faced no threat of political persecution upon return. But Judge King dismissed that position as unsupported by the evidence presented in the year-long trial here that ended May 21.

"The court has seen a stark picture of how these plaintiff-immigrants will be treated if they return to Haiti," he wrote, "and it has seen an equally stark, and even more troubling, picture of the treatment of Haitians by the INS."

In unusually scathing judicial criticism of an executive agency, Judge King also suggested that officials of the service had been motivated by racial prejudice in seeking mass deportation of the Haitians.

"The plaintiffs are part of the first substantial flight of Black refugees from a repressive regime to this country," he said, adding that while "prejudice of any type is seldom overt," he could place no other interpretation on some key pieces of evidence, including an internal INS memorandum asserting that the Haitians threatened the economic and social "well-being" of Miami.

Judge King characterized as "stark, brutal and bloody" the testimony and other evidence offered by the Haitians to show that many of those deported to Haiti had been badly mistreated, imprisoned and even murdered upon their return. He declared that "until the INS can definitely state which Haitians will be so treated and which will not, the brutality and the bloodletting is its responsibility."

Robert Havel, a spokesmen for the Justice Department, said it would be some time before a decision was reached on whether to appeal the ruling. The department, of which the INS is a part, was the defendant in the lawsuit, which sought a halt in practices that violated the Haitians' rights.

The practical benefit of the decision for the Haitian plaintiffs is unclear. On June 20, the Carter administration, which had been under considerable pressure from the Congressional Black Caucus to respond to the Haitians' plight, granted a temporary "parole" allowing the Haitians and the recent Cuban refugees to remain in this country for at least six months.

This "parole," which can be renewed, is intended to give Congress time to pass legislation that would allow the Haitians to become permanent residents and, eventually, citizens of the U.S. But the order applies only to the estimated 30,000 Haitians living here as of June 20, and those arriving later will still be subject to deportation unless granted asylum by the service.



Recent crowded boatload of Haitian refugees landing their craft near Miami Beach. One refugee lay exhausted on the beach.

The plaintiffs in the suit before Judge King are covered by the parole order, and presumably would have no reason to pursue asylum claims unless their parole expired before Congress had granted them permanent resident status.

The Justice Department had based its defense primarily on State Department interviews with 86 of the 700 or so Haitians who have been deported or have returned to Haiti voluntarily.

None of the 86 acknowledged having been persecuted or otherwise mistreated, the State Department said. All conceded fleeing Haiti, the poorest country in the Western Hemisphere, for economic and not political reasons, it said.

But Judge King dismissed this study as methodologically unsound and "unworthy of belief."

His courtroom, he said, had become "populated by the ghosts of individual Haitians—including those who have been returned from the U.S.—who have been beaten, tortured and left to die in Haitian prisons." Those not imprisoned, he added, faced harassment and intimidation and "the continuing threat of a midnight visit" from the Haitian secret police.

The immigration service, the judge said, had also "demonstrated its failure to grasp the fundamental rules of Haitian politics and economics." He suggested that the "dramatic poverty" in that country was "a function of the political system" and "a result of Duvalier's efforts to maintain power."

The judge wrote that one "central issue" overshadowed by all others raised by the Haitian plaintiffs, that of systematic discrimination by the service on the basis of national origin. "The uncontroverted evidence proves their claim," he said.

Thousands of asylum claims, the judge said, were denied before cases could be fully presented, with the subsequent violation of numerous immigration regulations and constitutional guarantees. The abuses, he said, were "systematic and pervasive."

"The manner in which INS treated the more than 4,000 Haitian plaintiffs violated the Constitution, the Immigration statutes, international agreements, INS regulations and INS operating procedures," he said. "It must stop."

The Black Panther

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SUPREME COURT ORDERS NEW FRED HAMPTON TRIAL

(Washington, D.C.) - The U.S. Supreme Court last month upheld a lower court's ruling citing strong evidence of conspiracies by the FBI and Chicago police to destroy the Black Panther Party and ordering a new trial for 24 law enforcement officials involved in the December 4, 1969, predawn police raid in which Illinois BPP leaders Fred Hampton and Mark Clark were assassinated.

By a 5 to 3 vote, the high court left standing an April 23, 1979, decision by the 7th Circuit of the U.S. Court of Appeals in favor of the families of the two slain BPP members and the seven survivors of the 1969 raid, who are former members of the Illinois Chapter of the BPP.

In January, 1976, a $47.7 million lawsuit was filed in U.S. District Court by the Hampton and Clark families and the survivors of the raid against 28 law enforcement officials, including former Cook County State's Attorney Edward Hanrahan, three of his aides, 15 Chicago police and several agents of the Chicago FBI office.

The 18-month-long trial, the longest in federal court history, ended in June, 1977, when Judge Joseph Sam Perry—a then 82-year-old White jurist from Alabama—in an unprecedented federal court decision, directed that the charges against all 28 defendants be dropped after the jury said it was deadlocked.

Chief Justice Warren Burger and Justices William Rehnquist and Lewis Powell dissented in the Supreme Court's historic June 2, 1980, decision clearing the way for a new trial in the case.

The high court, however, also voted 7 to 1 to overturn a part of the appeals court decision that would have permitted lawyers for the plaintiffs to collect attorneys' fees, which could run as high as one million dollars.

With only Thurgood Marshall—the only Black justice on the court—dissenting, the Supreme Court said the plaintiffs' lawyers are entitled to the fees only if they win the eventual retrial.

Following, THE BLACK PANTHER reprints an affidavit filed in federal court in 1975 by Mrs. Iberia Hampton, the mother of Fred Hampton, seeking the removal of Judge Perry from the case because of his bias against the plaintiffs.



Door shot full of machine gun bullets by Chicago police during raid in which Illinois BPP leaders FRED HAMPTON and MARK CLARK (inset) were assassinated.

"I am the mother of Fred Hampton, Deputy Chairman of the Illinois Chapter of the Black Panther Party, who was killed in his home during a raid conducted by the Cook County State's Attorney's office on December 4, 1969.

"I make this affidavit in support of plaintiff's motion for recusal of Judge Perry, because I believe that he holds a personal prejudice against myself and the other plaintiffs in this action which will make it impossible for us to receive a fair trial before him.

"All of the plaintiffs in this civil rights action are Black people and all of us, with the exception of myself and Mrs. Fannie Mae Clark, mother of Mark Clark, who was also killed in the police raid, are former members of the Black Panther Party.

"Though we seek $47 million in damages, there is not enough money in the world to pay for my son's life. The incident responsible for this lawsuit was a violent police attack ,on members of the Black Panther Party. We look to the courtroom as the place where the true facts surrounding the deaths of Fred Hampton and Mark Clark can be discovered. This cannot happen unless the court allows it to happen.

"It is my belief that Judge Perry holds a personal hostility against us as Black people with connections to the Black Panther Party, so that a trial before him would be only the final coverup of the wrong that was done to all of us on December 4, 1969.

"The judge's prejudice is revealed by his consistent treatment of myself and the other plaintiffs as if we were the wrongdoers here. I believe I am entitled to have this lawsuit heard before a judge who has not already made up his mind that I or Mrs. Clark, or our sons, or the other plaintiffs, are wrongdoers. I want the jury to hear what we have to say without being influenced by the judge's negative attitude toward us. I do not feel this can occur if Judge Pery stays on this case.

"Not only has Judge Perry referred to us as 'defendants' on several occasions, he has treated us as if we were defendants. He has not allowed us to learn the names of the people who were informants in the Black Panther Party. My lawyers have told me that they have learned there were many such informants in 1969 and 1970. Some of those people may even have been in my house. Some of them were in my son's apartment and may have evidence that would help my case. Some of them may be responsible for my son's death. I have a right to know who they are and to learn what they know. If they are responsible in any way, I have a right to sue them. I am told that the defendants claim it would be dangerous to reveal this information, but they do not say why. I believe that the judge is taking their side, without any evidence, only because of his prejudice against us.

"In 1970, an autopsy revealed that my son was drugged before the raid occurred so that he would not be able to defend himself, and that he was killed as he lay in his bed. If that is true, I believe whoever did it was working with the people who planned the raid. I cannot see how this lawsuit serves any purpose if I cannot know who the informers were so that we can find out who was responsible for this terrible thing.

"All of this reveals to me the judge's one-sided attitude toward this case. He is so one-sided that he would not even permit my lawyers to learn if any of the plaintiffs were ever FBI or police informers. I do not like to believe such things about any of them, and I do not have any facts about it, but I must be suspicious of everyone when so many informers were involved. I cannot see any

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B.P.P. APPEALS DISMISSAL OF LAWSUIT AGAINST F.B.I.

". . . This is an unusual case involving the very integrity of the United States government. It involves allegations. . . of a coherent program of plainly unconstitutional, illegal and immoral conduct by agencies of the federal government.

"Consequently, an enormous public interest exists in ensuring that this case is tried fully and fairly so that the truth or falsity of these allegations is resolved in a manner through which the public, as well as the litigants, can have complete confidence. . . "

(Washington, D.C.) - On June 3, the Black Panther Party filed the appeal (excerpts above) of its $100 million lawsuit against the FBI, CIA and other federal government agencies. The appeal brief was filed in the U.S. Court of Appeals for the District of Columbia Circuit.



Wreckage of Black Panther Party Field Marshal GEORGE JACKSON's (inset, bottom) cell following his August 21, 1971, assassination at San Quentin Prison. George was killed in a conspiracy by the FBI and the Los Angeles Police Department.

On January 25 of this year, the suit, originally filed on December 1, 1976, was dismissed in the U.S. District Court here by Judge John Lewis Smith. Smith ruled that the Party had failed to provide the government with information allegedly needed to prepare its defense. The information consists of a half dozen names of Party officers and members whose identities have never been disclosed and details of a 1974 police attack on Huey P. Newton. Huey, who is a plaintiff in the lawsuit along with the Party, has criminal charges pending against him in the incident and therefore has the constitutional right not to discuss the case until the charges have been tried or dismissed.

Other plaintiffs in the lawsuit are John and Elizabeth Huggins, parents of John Huggins, Jr., a Party member murdered in Los Angeles by FBI provocateurs on January 17, 1969; Father Earl Neil, an Episcopalian priest; John George a supervisor in California's Alameda County; Tom and Flora Gladwin, longtime supporters of the Party; Donald Freed, prize-winning author and founder of the Friends of the Panthers; and Berton Schneider, Academy Award-winning movie producer.

In dismissing the lawsuit, Smith dismissed the above plaintiffs without stating any grounds.

In citing the legal errors made by Smith in his handling of the lawsuit, the appeal, which was filed by the law offices of Bruce J. Terris, states:

". . . The record shows that Judge Smith has repeatedly and seriously committed errors of law and abused his discretion in this case in a manner which has prevented plaintiffs from receiving a fair opportunity to litigate their case. This pattern of decisions shows, beyond any significant doubt, that Judge Smith will be unable to afford a fair trial to plaintiffs after remand (if the case is sent back to a lower court).

"Indeed, the record shows that Judge Smith is either unwilling or unable to conduct this case in an appropriate manner . . . There is no reason to believe that he will do better if the case proceeds. . . .

"Plaintiffs therefore submit that if this court holds that the dismissal of one or more plaintiffs was improper and therefore the case is remanded, this court should direct that the case be assigned to a new judge."

Defendants in the lawsuit include U.S. Attorney General Benjamin Civiletti; FBI Director William H. Webster; Treasury Secretary G. William Miller; Bureau of Alcohol, Tobacco and Firearms Director Glenn R. Dickerson; Internal Revenue Service Commissioner Jerome Kurtz; and Postmaster General William F. Bolger.

Following are excerpts from the original brief filed in the lawsuit in 1976.

"This action by the Black Panther Party and its supporters seeks redress against past and present high government officials because of the concerted plan conceived and implemented by said officials since 1967 to destroy the Party politically and financially. The illegal means by which defendants have conspired to achieve destruction of the Party range from the extreme of causing assassination of Panther leaders to the more commonplace, albeit still unlawful, practice of burglarizing and bugging plaintiffs' offices and homes.

"All of the plaintiffs and those they represent have, because of their political activities, beliefs, and associations, been subjected to the practices complained of herein by defendant government officials who, despite official denials to the contrary, persist to this day in their efforts to repress and harass plaintiffs.

"Defendants and their agents have knowingly, intentionally and wilfully harassed, abused and injured plaintiff Party members in numerous unlawful and violent ways, including the assassination of Party leaders or assisting in their assassination by others, to wit:

"From 1968 to the present, defendants engaged in unlawful mail opening, interception of telephone and other conversations and physical surveillance of Party leaders, members and supporters. Privileged conversations between plaintiffs and their legal counsel have been intercepted and information conveyed in those conversations has been used by defendants and their agents to cause plaintiffs physical and emotional harm.

"Defendants and their agents have also committed innumerable burglaries, or 'black bag' jobs, where files, including investigatory and research files on pending litigation, and lists containing the names of Party members, supporters and contributors have been stolen.

"Defendants and their agents have instigated, encouraged and, on information and belief, planned, supervised or coordinated armed raids by local city police departments on offices and homes of plaintiff Party members. These raids—which have, for example, been directed against Party offices in Los Angeles, California; Chicago, Illinois; New Orleans, Louisiana; Kansas City, Missouri; and numerous other cities—caused serious injury to the Party, its members and its property.

"The raids have, on information and belief, been instigated, planned or directed by defendants and their agents for the purpose of harassing, injuring punishing plaintiffs because of their political beliefs and not for any legitimate law enforcement purpose.

"On or about July 30, 1974, Huey P. Newton was falsely arrested by agents of the Bureau of Alcohol, Tobacco and Firearms, in cooperation with other defendants, and charged with the federal crime of being an ex-felon in possession of a firearm. Said agents of defendants knew that plaintiff Newton neither possessed a firearm nor was an ex-felon, but wrongfully placed the false criminal charge against plaintiff to discredit, embarrass and humiliate him and the Party. This charge was dropped after plaintiff Newton had been confined for two days as a result of it.

"In 1971, defendants placed an undercover agent or operative in the apartment unit next to the 25th floor highrise apartment of Huey P. Newton. The rental of the agent's apartment was paid for with FBI funds. This agent or operative remained in said apartment for several months and during that time illegally spied on Newton, his guests, and associates and unlawfully overheard and reported on conversations between them.

"During the time said agent or operative was residing in this apartment, plaintiff Newton's apartment was robbed of Party files containing the names and addresses of Party members, supporters and contributors and other valuable and privileged information.

"Defendants and their agents wilfully, maliciously, knowingly and intentionally fostered and caused suspicion, hostility and violence by others toward and against the plaintiff Party, sometimes resulting in the death of Party members, to wit:

"In January, 1969, defendants assisted in and promoted the assassination of two Party members at the University of California at Los Angeles: Alprentice 'Bunchy' Carter and John Huggins. The person observed committing the assassinations by numerous eyewitnesses was allegedly a member of the US organization. This person, plaintiffs are informed and believe, fled the jurisdiction with the knowledge and cooperation of the defendants and their agents.

"Two other persons, also admittedly members of the US or-

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Oakland Community School Graduation Held

*(Oakland, Calif.) - Seven children graduated from Oakland Community School last month, the seventh graduation in the school's nine-year history. Graduates were (left to right) **ROLANDA CARTER, KELLITA SMITH, DAMON SENNETTE, DENNIS DUNHAM, RONA MEANS, MAI HUGGINS** and **DEJADA METCALFE**.*

*The idea for Oakland Community School originated with **HUEY P. NEWTON** (shown in top photo with **ERICKA HUGGINS**, director of the school). Huey is president of the board of directors of Educational Opportunities Corporation, the non-profit, community-based organization that administers OCS and the other programs of Oakland Community Learning Center. Speaking to the 1980 graduates and their families, Huey said:*

"We have always encouraged our children to develop themselves to the fullest of their capacities. Whenever you put your mind on learning, it is almost impossible to learn less. You can only learn more. I believe in life-long learning. I hope that our parents will view education not as an institution, but as a way of living."

"THERE IS A CONSPIRACY TO DESTROY OAKLAND COMMUNITY LEARNING CENTER"

(Oakland, Calif.) - "Programs that serve people are being attacked all over this country. There are people in government agencies or in agreement with these agencies who feel threatened by Oakland Community School and the other programs of Oakland Community Learning Center, which were originally conceived by the Black Panther Party.

"We are doing good work educating children, and the forces who oppose our school and our free community services are conspiring to destroy our center."

Speaking at a May 20 press conference, Ericka Huggins, director of Oakland Community School (OCS), described a rash of recent break-ins at Oakland Community Learning Center (OCLC). In the last month, the center has been vandalized four times, the most recent incident occuring the weekend of May 24.

Since November, 1979, OCLC has been vandalized nine times.

Asked if she believes people who live in the predominantly Black and Latino community where OCLC is located are responsible for the continued break-ins of the building, Ericka said:

"We have great support from our community. They are not responsible for these incidents. We believe the persons behind the break-ins hope to frighten our parents into withdrawing their children from the school. To the contrary, these break-ins have increased our support from parents and the total community."

The weekend of May 17, the center's kitchen, where food is stored and prepared for the free breakfast, lunch and dinner served to OCS children, was ransacked. The door to the kitchen was kicked in, food was taken out of locked refrigerators and left sitting out to rot.

The door to the school's curriculum room, where educational materials are kept for the children, was kicked in. Three metal file cabinets containing curriculum materials were damaged. Educational games used by children in the primary skills classes were stolen.

A door leading to the stage of the OCLC auditorium, where the children perform plays and other activities, was kicked in as well as the door to a storage closet. The persons responsible for the break-in the weekend of May 17 also defecated in one of the children's classrooms.

During the weekend of May 24, the door of the office of Educational Opportunities Corporation (EOC), the non-profit, tax-exempt organization which has administered OCLC since 1973, was kicked in and badly damaged. A calculator was stolen from this office.

In April, the key to this office was stolen, the door was opened and office files were ransacked.

OCLC staff has not been able to immediately determine what, if anything, was stolen during most of the break-ins that have occurred over the last seven months. It appears that the persons who have been vandalizing the center destroy a variety of property in order to conceal what it is they are really after.

Ericka said that in one incident, money from a fundraising event was not touched but various "pieces of paper" were stolen.

When asked if the break-ins have been reported to the Oakland Police Department, Ericka said that in the past, the break-ins were reported to police, "but absolutely nothing was done about it. It became an exercise in futility."



OCS Director *ERICKA HUGGINS*.

The defecation in the children's classroom, Ericka said, "was done to annoy us. The children beautify their own classrooms, and to have them destroyed or in any way harmed is a personal insult to them."

Oakland Community School is presently engaged in a major fundraising drive. The school needs $113,000 to cover operating expenses through June of this year. To meet ongoing expenses, the schools needs assistance in establishing a one million dollar trust fund.

"The forces who oppose our school and our free community services have used this period of our financial crisis to increase their efforts against us," Ericka said. "We will continue to inform the press, parents and friends about these incidents and assure the community which we serve that the doors of Oakland Community Learning Center will remain open."□

MIAMI REBELLION: "THE UNRAVELLING OF THE WELFARE STATE"

In the following article edited from the Los Angeles Times, author Michael Harrington provides an analysis of how the worsening economic situation for Black Americans in the 1970's may in the 1980's lead to rebellions in major cities, such as the recent protest in Miami.

To begin with, there is the contrast between the events in Miami in 1980, and the "hot summers" of the 1960's. The eruptions of anger which began with Watts in 1965 and peaked in Newark, Detroit and New Haven in 1967 took place during the longest period of prosperity in American history. Miami's rebellion had a different economic backdrop.

The presidential "riot commission" found in its 1968 report on civil disorders in this country that a good many of the people involved in the 60's were above average in education and income and engaged in the expression of a political outrage which, for instance, focused on White property and corporate property rather than on property in general.

Paradoxically, the '60's riots, insofar as they were political, grew out of heightened expectations and hopes. From the Montgomery bus boycott of 1955, through the sit-ins of 1960, and the great march on Washington of 1963, Black Americans had reached the consciences of some White Americans, and silent sufferers had turned into activist militants.

But if segregation in public accomodations was defeated in 1964, and the racist denial of voting rights outlawed in the spring of 1965, the life of the average person in the ghetto had not changed that much. The unemployment rate for Blacks remained twice that of Whites and teenage joblessness soared.

Black urban protests of the '60's did motivate White power to make concessions. Watts dramatized the torturous slowness of economic change for Blacks and other minorities. For these and other reasons, the minorities made gains in the '60's. The unemployment rate went down; the poverty population declined, and there was some progress for a middle-class minority.

But that progress ended in 1969, and the next 11 years were to prepare the way for the gunfire and burning buildings of Miami in May, 1980. In the '60's people went into the streets to struggle for the expansion of the welfare state; in 1980, in Miami, they were desperately fighting against the consequences of the decline of the welfare state.

Between 1960 and 1972, the Black percentage of White income rose from 57 to 62 per cent. That systematic and structural problem of Blacks is a function of the positions of Blacks in the economy. In 1976—a relatively "good" year by recent standards—27 per cent of the Blacks in the U.S. were in low-paid service jobs, but only 12 per cent of the Whites were with them; 8.5 per cent of the Blacks were professionals compared to 17 per cent of the Whites.

TRENDS

So the economic trends suffered by Blacks conspired to make the Miami rebellion a possibility—but so did the White trends. During the past decade, America has gone from a "positive sum" economic game, in which growth permits everyone to do better every year and the government allocates gains, to a "zero sum" game in which the growth bonus disappears and one group's progress means another's retrogression. The government now has the task of allocating losses. It does so more or less in accordance with the distribution of power in America; the least vulnerable are protected, the most vulnerable are required to sacrifice for the common good.

That does not simply mean that Blacks suffer: it also changes the mood of Whites. Now the entire society becomes more mean as individuals and groups see their happiness dependent upon someone else's unhappiness. One reason why White people could somewhat respond to the Black predicament in the '60's was that social justice was relatively cheap; one reason why Whites ignore Black misery in the '80's is that decency has become much more expensive.

In short, Miami tells us something about all of America, not just Black America.

That is one more sign of the unravelling of the welfare state in the era of stagflation, a process which creates a kind of human kindling in the poor neighborhoods of the great cities. Black America continues to pay a terrible price for the country's failures, and White America will become even meaner and more fearful in response to a rage which it has provoked.



Black man resists police brutality during Black rebellion in Miami sparked by the acquittal by an all-White jury of the White policemen who beat ARTHUR McDUFFIE (inset) to death.

Behind The Draft: Army Seeks White Soldiers

(New York, N.Y.) - Uncle Sam does want you—if you're White, bright, and ready to fight. And that may be why he's thinking about putting the draft back to work: The U.S. Army is short on White men with managerial or technical know-how.

With the modern army's need for specialized skills increasing annually, Pentagon officials are worried about falling enlistment standards, a rash of applications for early discharge, and a serious decline in the number of well-educated White soldiers. The recent enthusiasm for renewing the draft may have less to do with events in Iran and Afghanistan than it does with a desire to expand the pool of White enlisted men who arrive with professional or technical skills, writes Joseph Kelley for *Pacific News Service*.

The personnel structure of the military today bears a close resemblance to the civilian sector in its reliance on a class of professional managers. As a 1979 study by the Brookings Institute clearly demonstrated, the army now relies less on the combat-ready soldier and more on technicians and specialists skilled in handling new management systems and technology.

"We cannot get enough of the right kind of people, with the necessary skills and abilities to fit the needs," Mississippi Senator John Stennis has said of the present volunteer army.

Given the educational and economic realities of American society, solving that problem through the draft can only mean pumping more White inductees—especially those with some college training—into what is already a two-tiered structure. While officers, mid-level managers, and technicians are overwhelmingly White, infantrymen and ditch diggers—plain soldiers—tend to be Black.

The new Selective Service could be just that: a way to select soldiers that guarantees a supply of men for the managerial class that runs today's army—and ensures a more even racial balance. Since the old draft ended in 1972, the total number of Blacks in the army has increased by 103,000 while the number of Whites has dropped by approximately 400,000.

As a result, Black enlistees now account for 30 per cent of the army, lumped at the bottom of the military hierarchy. Black men account for only 6.1 per cent of the officer corps.

The imbalance shows no sign of reversing; in fact, it is almost certain to grow in the coming years. The low birth rate in the mid-1960's will leave recruiters with only 1.8 million eligible young men by 1985, down from 2.1 million today.

From that number, 400,000 new soldiers must be drawn in order to maintain the troop level at its current two million persons. But recruiters must compete for the best-educated candidates with equally aggressive college admissions officers, the civilian job market, and other government programs.

As a result, the armed service five years from now are likely to be even less representative of the general population.

Editorial

POOR WOMEN: PAWNS IN THE ABORTION CONTROVERSY

In 1973, the Supreme Court ruled that a woman has a constitutional right to choose an abortion. Under the Medicaid program, Congress pays for almost all other health services. The court's ruling last month on Medicaid-funded abortions, in effect, penalizes poor women for exercising a constitutional right.

Since the court declared restrictive abortion laws unconstitutional in 1973, more than five million U.S. women have obtained legal abortions provided in nearly 3,000 clinics, hospitals and physicians' offices. The number of legal abortions increased from about 745,000 in 1973 to some 1.3 million in 1977.

In recent years, U.S. women have terminated almost three out of 10 pregnancies by abortion, but some women have faced great difficulties in obtaining safe, legal terminations. Since agencies that perform abortions were (and are) concentrated in large cities, in 1977 nearly one-half million women had to travel—often considerable distances and outside their own states—to obtain abortions. Close to 600,000 women who wanted abortions were not able o obtain them at all.

Poor women, teenagers, minority and rural women were especially affected by this inaccessibility, because they did not have the money or did not know how to search out an agency that performed abortions, or could not take the time from jobs or families to travel to a distant city.

A series of actions taken in the summer and fall of 1977 by President Carter, Congress, the supreme court and most states rapidly and sharply increased the inequality in availability of abortion services which already prevailed. The effect was to deny hundreds of thousands of the poorest of the poor of America's pregnant women—those who are welfare recipients—the opportunity to obtain safe, medical abortions.

•On June 20, 1977, the supreme court ruled that states and localities need not pay for "nontherapeutic" abortions for poor women even though they pay for childbirth and other pregnancy-related expenses, and that public hospitals need not perform such abortions.

•On July 12, 1977, Carter declared that he supported these decisions and opposed government financing of abortions "except when the woman's life is threatened or when pregnancy is the result of rape or incest."



"BUT DON'T YOU KNOW A NICE NEIGHBORHOOD ABORTIONIST WHO COULD DO IT FOR YOU REASONABLY CHEAPLY?"

•On August 4, 1977, based on the supreme court rulings, a federal court lifted a restraining order that had prevented enforcement of the Hyde amendment—passed in 1976 and named after its sponsor, Illinois Congressman Henry J. Hyde—which prohibited the use of Health, Education and Welfare (HEW) funds to pay for abortions except to save a pregnant woman's life.

Virtually all HEW payments for abortions had been for poor women, under Medicaid. Under this program, the federal and state governments share the cost of furnishing necessary hospital, laboratory and physicians' services for poor people, almost all of whom are public welfare recipients.

•After a long debate in Congress, during which the Senate sought to "liberalize" the Hyde amendment to cover all "medically necessary" abortions, while the House tried to continue restricting abortions to life-threatening situations, a compromise amendment was attached to the 1978 Labor-HEW Appropriations bill. It permitted the federal government to pay its share of the cost of abortions for Medicaid-eligible women only in cases where their lives were threatened, in cases where two doctors certified that continuation of the pregnancy would result in severe and long-lasting physical health damage, and in cases of reported rape or incest. The same amendment was attached to the 1979 Labor-HEW Appropriations Act, and is now in effect.

•As long as the federal government paid its share for abortions for Medicaid-eligible women, so did most states. But following withdrawal of federal Medicaid funds, the overwhelming majority of states sharply limited their abortion funding, imposing conditions similar to or more restrictive than those in the Hyde amendment.

In other words, even *before* the Hyde amendment and its state counterparts sharply restricted public funding of abortion for AFDC recipients, about 133,000 Medicaid-eligible women who wanted abortion services were unable to obtain them because the services were not available or accessible to them, or because the states had policies prohibiting such payments.

The average estimated cost of abortion in the United States is $285. The average AFDC payment for an entire family (usually a mother and two children) is $241 a month. Thus, the cost of an abor ion, on average, is $44 greater than one month's AFDC payment for an entire family.

Congressman Henry Hyde, author of the Hyde amendment, plans to introduce a constitutional amendment forbidding all abortions except in cases in which the mother's life is threatened by the pregnancy. Hyde says that by 1984 he will have the necessary two-thirds vote in Congress to pass such an amendment.

The supreme court's ruling is a clear attack by the federal government on the health and reproductive rights of poor women. There is a well-organized group of people in America which is dedicated to ending all free government services for poor people. This group has used its power to further eliminae the rights of the poor in this country.□

Fallen Comrades

Black Panther Party members (left to right) ALEX RACKLEY, JOHN SAVAGE, BABATUNDE X OMARWALI, CARL HAMPTON and JOSEPH "Joe-Dell" WADDELL were assassinated as part of the FBI's COINTELPRO program to destroy the Black Panther Party.

Alex, a member of the New York Chapter of the BPP, was murdered by George Sams, an agent provocateur who infiltrated the Party Chapter in New Haven, Connecticut.

A member of the San Diego Chapter, John, 24, was killed by a member of the US organization, a group led by Ron Karenga which was manipulated by police as part of the COINTELPRO program.

Inmates at Central Prison in Raleigh, North Carolina, charged that Joseph, 21, was killed by prison authorities, who falsely claimed that he died of a heart attack. Joseph's internal organs were removed before his body was released to his family.

Carl was killed by Houston, Texas, police during an unprovoked police attack on the Black community.

Babatunde, 26, was a member of the Illinois Chapter. Chicago police claim to have found Babatunde's body in a deserted area of the city. Although his remains were mutilated beyond recognition, police positively identified the body of "Black Panther Babatunde X Omarwali."

Alex Rackley	John Savage	Babatunde X Omarwali	Carl Hampton	Joseph Waddell
ASSASSINATED: MAY 21, 1969	ASSASSINATED: MAY 23, 1969	ASSASSINATED: JULY 27, 1970	ASSASSINATED: JULY 28, 1970	ASSASSINATED: JUNE 13, 1972







TOWARD PEACE IN THE MIDDLE EAST



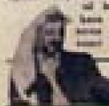












"We are all Semitic people...
We are not against the Jews."

SENATE BILL 1722 THREATENS RIGHT OF AMERICANS TO DISSENT

". . . we had enough of a police state during the Black revolts in the cities. . . . If you thought things were bad then, just try and visualize what things would be like under S. 1722."

The Afro-American

. . . it's (S.B. 1722) as repressive as anything the Nixon people designed—and then some."

Chicago Sun-Times

(Washington, D.C.) - Senate Bill 1722—a revised version of the Nixon administration's notorious Senate Bill 1—will soon be debated by the U.S. Senate under the sponsorship of Senators Edward Kennedy of Massachusetts and arch-conservative Strom Thurmond of South Carolina. The Black Panther Party, in 1975, denounced S.B. 1 as the most "repressive piece of law and order legislation to threaten the constitutional guarantees of the American people since the days of the Alien and Sedition laws."

The National Committee Against Repressive Legislation (NCARL), formerly the National Committee to Abolish HUAC/HISC (House Committee on Internal Security), and the BPP are urgently calling on the American people to inform themselves of the repressive features of S.B. 1722 and to act to prevent its enactment.

Reprinted below are excerpts from a recent NCARL newsletter detailing some of the harmful effects of the proposed legislation.

Opposition to War, Registration, or the Draft—S. 1722 restates current law which could criminalize people who, during a war and with intent to oppose that war, "physically interfere" with recruitment or induction, or "incite others" to evade military service.

Picketing at an induction center, urging young people to turn in or burn their draft cards, or counselling conscientious objectors not to register for the draft could be held illegal. Sentences/Fines: up to 5 years—$250,000.

Likewise, any civilian writing or speaking against a war or conditions on a military installation, and whose actions could be interpreted by military and law enforcement authorities as "inciting" "subordination" can be threatened with severe sanctions, similar to those in current law. Sentences/Fines: up to 10 years—$250,000 if committed in time of war, otherwise up to 5 years—$250,000.

Obstructing a Government Function by Fraud—Engaging in "misrepresentation, chicanery, trickery, deceit, craft, overreaching, or other dishonest means" and thereby obstructing any government function, becomes a crime broader than similar statutes presently in effect. Giving misleading directions to a postman, using a trick to avoid surveillance by an FBI agent, making a misleading statement on a government questionnaire—all could raise the threat of federal prosecution. Sentences/Fines: 5 years—$250,000.



Protests such as the historic 1963 March on Washington could be outlawed if S.B. 1722 is enacted.

Obstructing a Government Function by Physical Interference—Physical interference with any government function involving "performance of an official duty" by most public officials, including law enforcement officers, is prohibited. A demonstration which blocks a post office or

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Sioux Indians Demand Return Of Black Hills

(Washington, D.C.) - The federal government owes the Sioux Indians $104 million to compensate for the Black Hills land it took away 103 years ago after Custer's Last Stand, the U.S. Supreme Court ruled in July.

But the controversial case is far from over among the 60,000 affected Sioux, who are debating whether to accept the money or demand return of the land. Some tribal leaders are also expressing distrust of their lawyers, who could get more than $10 million of the judgement, the *Oakland Tribune* reports.

In its decision, the court said the half-hearted attempts Congress has made to pay back the Sioux over the years have not changed the fact that the government took the land unconstitutionally in 1877, and that the tribe is entitled to massive interest payments on the value of the land as penalty.

"That taking (of the land) implied an obligation to make just compensation to the Sioux Nation," Justice Harry Blackmun wrote for the 8-1 majority. "That obligation, including an award of interest, must now, at last, be paid."

Justice William Rehnquist was the lone dissenter on the court.

The stage was set for the decision just over a year ago, when the U.S. Court of Claims awarded the Sioux the $104 million for the 7.5 million acres of western South Dakota land they yielded in 1877. The award was the largest in U.S. history.

That amount included 102 years of interest at five per cent on $17.5 million, the fair market value of the land in 1877. The federal government did not contest the $17.5 million, but did object to the interest penalty.

Sioux leaders said that some tribal members insist that the sacred Black Hills, known to Indians as Pa Sapa or Paha Sapa, are not for sale. "A lot of us are asking to have the land back," said Norman Wilson, chairman of the Rosebud Sioux Tribe, one of eight tribes involved in the case.

Clarence Skye, director of the United Sioux Tribes, an organization that includes all but one of the affected tribes, said that in the last year, one or two tribal leaders who advocated accepting the money have lost bids for re-election.

PAYMENT

Skye also said that some tribal leaders who favor accepting payment for the land instead of insisting on its return think that $104 million is not enough to compensate for the natural resources, including gold and timber, that have been taken from the land.

In addition, Skye said, some of the Sioux distrust their attorneys, whom they believe are urging acceptance of the judgment to clear the way for payment of attorneys' fees that could amount to 10 per cent of the settlement under federal law.

But attorney Marvin Sonosky who represents five of the tribes and has been working on the case since 1956, said the Sioux don't have the option of rejecting the judgment. The government, he said, will hold the money for them until they accept it.

Under federal law, the Department of Interior must work with the tribes to prepare a distribution plan for the funds, a plan that then must be approved by Congress. No one knows how long this might [illegible], but

CONTINUED ON PAGE 1[illegible]

Massive Police Spying In Los Angeles

(Los Angeles, Calif.) - Following the recent exposure of massive police spying here, a coalition of over 40 community groups has stepped up its campaign to end the illegal practice.

The Citizens Committee on Police Repression (CCPR) has a suit pending against the Los Angeles Police Department (LAPD). The suit was filed after the organization uncovered a LAPD spy in the group.

Representatives of the CCPR have also filed charges against LAPD officer Edward Camarillo, who infiltrated the group in 1978, with the Police Commission.

Los Angeles City Councilmember Zev Yaroslavsky has substantiated the allegation, charging that Camarillo, purporting to be a committee member, worked with several of the councilman's staff members on a proposed local freedom of information act to provide limited public access to police intelligence files.

The CCPR suit seeks a permanent ban on "infiltration and spying" and "maintenance of police dossiers" and an award of monetary damages.

In an effort to apply more pressure on the City Council to act to end police spying, in early June the CCPR released 45 pages of secret police reports.

The documents, part of 1,300 pages of heavily censored police files obtained through a lawsuit, show that three police undercover officers infiltrated and spied on political groups from 1975 to 1977.

Release of the documents came just two days before the council's Police, Fire and Public Safety Committee was scheduled to meet secretly behind closed doors with Police Chief Daryl Gates to discuss the Camarillo case. The Police committee was forced to put the matter off until July 9, however, after the CCPR, which is demanding a public airing of the matter, went to court to block the closed-door session.

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70 BLACKS KILLED IN SOUTH AFRICAN REBELLION

(Cape Town, South Africa) - "Six police vans pulled up, and police just poured out shooting like mad," Cape Town resident Veronica Woodington recalled. "No one was throwing stones, but there was a huge crowd standing around."

Woodington said one of her neighbors, Avril De Bruyn, 25, was ruthlessly cut down in the police fusillade.

"She was shot through the heart. She died holding my hand," Woodington said.

Newspapers and witnesses, such as Veronica Woodington, reported that police—under official orders to "show no mercy" and "shoot-to-kill"—poured out of armored cars in mid-June, indiscriminately shooting into crowds that came to commemorate the Soweto uprising of 1976 despite a government ban of such meetings.

Over 70 protestors were killed and more than 250 wounded in a four-day uprising which was ignited when the government banned the commemoration of the outbreak of the bloody rebellion in Soweto four years ago on June 16 in which over 1,000 Blacks were killed.

"Show them no mercy," Police Commissioner Mike Geldenhuys told his forces.

Police Minister Louis Le Grand staunchly defended the actions of the police, saying only—and with no remorse—"the shoot to kill statement issued by the police directorate was an unfortunate choice of words."

UNREST

For the past two months, South Africa has been hit by the most serious unrest since the 1976 rebellion, including a nationwide school boycott by Black and mixed race students and the sabotage of three major oil refineries—the most successful guerrilla action in the country's history—by the outlawed African National Congress.

In Cape Town, where the school boycott is the strongest, numerous labor strikes are also in progress. Consumers have been boycotting meat in sympathy with a strike by meat packers for a month.

About a week prior to the most recent uprising, many commuters in the Black and mixed race townships have boycotted buses to protest a fare increase. More workers stayed away from work in Cape Town on June 16 than in any other part of the country, heeding the call by political groups to observe the anniversary of the Soweto uprising.

Absenteeism in Cape Town was as high as 70 per cent in some firms, the South African news agency reported.

In addition to commemorating the Soweto rebellion, this year, Black groups also decided to mark June 15 as Biko Day, in memory of Steve Biko, the Black activist who was killed in police custody in Pretoria in 1977. Police, however, used dogs, night sticks and tear gas to disperse groups of Blacks who gathered in Soweto, located just outside of Johannesburg.

The police were acting to enforce a government proclamation, issued just three days prior, banning all political and commemorative gatherings involving more than 10 people in 24 "trouble spots" around South Africa, including Soweto.

The proclamation tightened a restriction in force since the 1976 upheaval that requires a permit for any mass meeting of a political nature. The new ordinance prohibited "any gathering of a political nature at which any form of state, or any principle or policy of a government or state, or of a political party or political group, is propagated, defended, attacked, criticized or discussed, or which is held in protest against, or in support of, or in commemoration of, anything."

The effect of the order was to outlaw the meetings in churches that have marked the June 16 anniversary in the past three years in Soweto and elsewhere.

The principal commemorative gatherings in Soweto this year were to have been held at the Regina Mundi Catholic Church. They were to have included addresses by Bishop Desmond Tutu, general secretary of the South African Council of Churches, and Dr. Nthato Motlana, a prominent Black activist in Soweto.□



An injured Black man being aided after South African police opened fire in June on crowd which gathered to commemorate 1976 Soweto rebellion

Ramsey Clark Demands Probe Of U.S. Role In Iran

(Washington, D.C.) - Former Attorney General Ramsey Clark recently called on Congress to investigate U.S. intervention in Iran during the regime of Shah Mohammed Reza Pahlavi.

The demand for the probe stems from Clark's participation in the "Crimes of America" or "U.S. Intervention in Iran" conference in Tehran in June as part of a 10-member U.S. delegation.

Clark told a group assembled at a House office building by Black Michigan Congressman John Conyers that U.S. members of congress must be willing to discuss the over 70,000 Iranians that the government of Ayatollah Ruhollah Khomeini charges were killed during the shah's regime—not just the fate of the 53 Americans held in Iran since November, 1979.

In addition to Clark, the U.S. delegation to the Crimes of America conference included:

Lennox Hinds, law professor at Rutgers and director of the National Conference of Black Lawyers from 1973-78; John Gerassi, noted journalist and professor of political science at Queens College who, in 1966, toured North Vietnam as part of a six-member fact-finding team for the Bertrand Russell International War Crimes Tribunal; George Wald, a Nobel laureate in science and anti-war activist; Paul Washington, Episcopal minister and prominent Black activist; Leonard Weinglass, attorney who defended the Chicago Seven and Pentagon Papers defendants;

May Anderson, representing the American Friends Service Committee; Kay Camp, president of the Women's International League for Peace and Freedom; the Rev. John Walsh, Chaplain at Princeton; and the Rev. Charles Kimball, post doctoral student in Islamic studies at Harvard Divinity School.

The delegation participated in the Tehran conference despite a Presidential ban on travel to Iran and threats of prosecution by the Carter administration.

The conference resolution condemned "the intervention of the U.S. in the internal affairs of Iran, attacked "violence and indirection threats" against Iran, including economic and military action, and denounced "discriminatory treatment" of Iranian students in the U.S.

It also recognized Iran's right to "seek compensation for the enormous material and human losses which were incurred as a result of U.S. policies and practices in the last 27 years" in which the U.S. has exerted its influence in Iran.

ANGOLA'S U.N. ENVOY DEMANDS S. AFRICA SANCTIONS

Following is the speech by Angolan Ambassador to the United Nations Elisio De Figueiredo to the Security Council June 26 denouncing South Africa for its recent invasion of Angola. The South West African People's Organization, the guerrilla group which is recognized by the U.N. as the sole legitimage representative of the Namibian people and is fighting to end South Africa's illegal occupation of its country, operates refugee camps and military bases in Angola. In Figueiredo's speech, which is reprinted from **the Guardian**, *the Angolan envoy calls on the U.N. to implement total sanctions against South Africa.*

Surely it is not normal for men, women and children to be massacred as a matter of routine. And yet that is what happens with alarming frequency to the Angolan people at the hands of the racist South African troops.

My government keeps the international community informed of these South African attacks.... [Yet] the racist South African regime goes unpunished for its crimes inside South Africa itself and in southern Africa as well.

The racist minority regime in Pretoria, with its capitalist, colonialist, imperialist ambitions, has once more attacked the People's Republic of Angola. They have killed over 370 men, women and children. They have wounded more than 255 people, many of whom will succumb to their injuries. They have destroyed vehicles, bridges, houses. They have killed much of the livestock, depriving the remaining populace of its food and livelihood. They have mined roads and fields. In the days ahead they will kill many more barefoot children, and women tilling the land. Seventeen patriots belonging to FAPLA (Angolan Armed Forces) have sacrificed their lives in defense of the motherland.

I have dispassionately described the positions of the racist troops. I have recited the number of dead and wounded. But I cannot adequately convey the full dimensions of the national tragedy that we face as the racist minority regime in Pretoria uses our territory as its battlefield and our people as its sport.

The Secretary General of the U.N. sent a letter to the racist Prime Minister Pieter Botha on June 20, 1980. This is Botha's answer. This is his reply to the international community on what sort of South African participation to expect in U.N. efforts toward the independence of Namibia. It is South Africa's warning to the Angolan commitment to liberation, self-determination, majority rule and a revolutionary path in national development. It is South Africa's answer to Africa. It is South Africa's response to the commitment of the frontline states. And it is South Africa's announcement of what sort of neighbor it intends to remain in the years ahead.

The South African Parliament had already in 1976 passed the Defense Amendment Act, extending South Africa's defense periphery up to the equator. After the dismantling of the Smith regime in Salisbury and the emergence of independent Zimbabwe, the infamous terrorists, the Selous Scouts, were disbanded. They are now being added to South African forces. Jobless mercenaries are being wooed and recruited for duty in southern Africa. A massive transfer of combat equipment has taken place from South Africa to Namibia, with a military strengthening of Caprivi Base.

These are not merely war preparations; this is war. Our war was declared a long time ago. It was declared when the first "colon" set foot on our continent, when he came to loot, plunder, to kidnap and to kill. And this war shall continue till the last racist, the last imperialist and the last puppet is defeated by the forces of revolutionary justice.

Africa has ample room for those who wish to live with us on terms of mutual respect. But our vast continent has no room for settler colonialists or overseas rule. We will not tolerate minority rule and apartheid. And we will fight imperialist attempts to destabilize our region. . . .

Can Africa expect no justice? Sanctions are imposed on small nations which cannot be considered a threat by either Western governments or Western transnational corporations. But the biggest fiend of them all, a racist structure that brutalizes and dehumanizes its own majority inhabitants, a military power with nuclear capability enough to threaten all of Africa—this monster in our midst goes unchecked and unpunished, despite strong demands from the Third World.

What South Africa does cannot be entirely divorced from the larger context in which South Africa plays its hand: for every child killed in Soweto, in Namibia, in Angola, responsibility must be accepted by those Western friends of Pretoria who help the apartheid regime to survive, and survive rather well.

I have repeatedly pointed to South Africa's various strategies for the survival of its system

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AFRICA IN FOCUS



Black Africa Hit By Famine

(Nairobi, Kenya) - From Sudan to the South African border more than 60 million people will experience prolonged hunger this year because of mounting food problems in eastern and southern Africa, the *San Francisco Chronicle* reports.

Drought, or rain at the wrong time, is the immediate cause.

A report issued last month by the United Nations World Food Council listed 26 countries facing abnormal food shortages, 17 in Africa. Black Africa is the only area of the world where per capita food production has declined in the last two decades—averaging a 1.3 per cent annual slide in the 1970's.

Hopefully, the current famine will not be as severe as those that hit the Sahel countries of western Africa and Ethiopia, killing hundreds of thousands of persons, in the early 1970's.

Some international aid experts feel, however, that a continuation of the drought that has been going on in some areas for two years could have a similar impact in what is, in effect, the eastern Sahel—parts of Uganda, Kenya, Somalia, southern Sudan and Ethiopia.

One aid specialist estimates that in the dozen countries in eastern and southern Africa experiencing food problems, half of the children under seven and half of the women between 15 and 40 will suffer abnormal hunger this year.

The estimate, which the specialist and others agree is probably conservative, means at least 60 million people will be affected. The women and children suffer most.

Robert Kitchen, the chief U.N. official in Kenya, said the food situation "is as bad as it's ever been and deteriorating." The area is about 1.2 million tons short of grain, chiefly corn, the staple of the East African diet,, he said.

The worst-hit areas are Karamoja Province in northeastern Uganda; parts of Tanzania; and Somalia, suffering from an influx of a million refugees from the Ogaden.

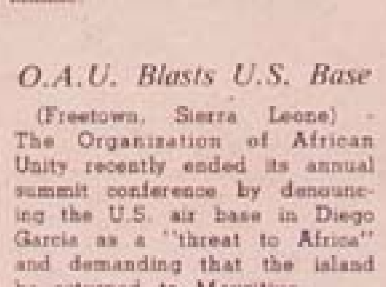
The countries with food problems also include Kenya, Zambia and Zimbabwe, all of which have exported food at one time.

Ethiopia, where famine covered up by the government in the early 1970's led to the downfall of Emperor Haile Selassie, is once more experiencing drought in the south and central regions. The government says five million people face famine.

O.A.U. Blasts U.S. Base

(Freetown, Sierra Leone) - The Organization of African Unity recently ended its annual summit conference by denouncing the U.S. air base in Diego Garcia as a "threat to Africa" and demanding that the island be returned to Mauritius.

But the 50-nation organization failed to reach an agreement on another more serious dispute—the guerrilla war raging in the Western Sahara.



It finally decided on a compromise to defer action on the Sahara dispute and made a strongly worded call for the return to Mauritius of the island of Diego Garcia, the tiny Indian Ocean atoll where the U.S. maintains an air base.

The compromise on the Western Sahara ended days of debate between supporters of Morocco and the backers of Polisario, the guerrilla group which has formed the Sahara Arab Democratic Republic in the former Spanish colony—land illegally claimed by Morocco since Spain withdrew in 1976.

Polisario has been recognized by 26 African states, gaining the majority necessary to obtain membership in the OAU.

But with a number of states threatening to pull out of the organization if the Polisario is admitted, the leaders adopted a plan that effectively gave both sides another year to win new support for their respective causes.

S. Africa

CONTINUED FROM PAGE 11

within its laager. The timing of the latest series of attacks is designed to present a "fait accompli" to the international community—a group of puppets and renegades who have no existence outside the charity given them by their masters in Pretoria, who have no legitimacy outside the safe retreats and bases provided for them inside Namibia by the minority regime, who have no support outside the one provided by the South African Armed Forces.

War cannot be contained and confined. And if the West wants to save itself and its shores, then it must not bolster the minority regime that is causing the chaos in southern Africa. And the only way to prevent a holocaust in southern Africa is to make South Africa realize the necessity for change. And the only way to do that, since all other methods have been tried and failed to yield results, is the implementation of total sanctions against the minority regime.

Africa is running out of patience, Africa is running out of time. If the Security Council does not act beyond the adoption of yet another resolution, if the council does not effectively implement these resolutions, then southern Africa will be the match that will ignite the world. And only the archives of the U.N. will be left to bear a silent testimony to our repeated pleas and warnings.□

Sioux Demand Return Of Black Hills

CONTINUED FROM PAGE 10

Sonosky said it probably would be six months to a year if there is no disagreement.

The dispute goes back to 1868, when the U.S. promised to set aside for exclusive Indian use a massive tract of land including the 7.5 million acres in the Black Hills region.

But six years later, an exploratory force headed by Lt. Gen. George Custer found substantial amounts of gold in the region, prompting a flood of prospectors and others to come onto the "undisturbed" Indian land.

President Grant at first tried to enforce the treaty and keep invaders out, but then gave secret orders to the contrary.



Native Americans marching cross-country during 1978 "Longest Walk."

Meanwhile, Native Americans are leading a "Long Walk for Survival," a 3,500-mile, nationwide trek to Washington, D.C., to protest nuclear development, uranium mining on Indian land and the draft.

The cross-country protest march, which was organized by the American Indian Movement, began in June at Alcatraz Island near San Francisco, and is scheduled to arrive in the nation's capital on November 1, on the eve of the national elections.□

Police Spying In Los Angeles

CONTINUED FROM PAGE 10

At a news conference where the documents were released, Mayor Tom Bradley, who is Black, and the City Council were criticized by Ramona Ripston, executive director of the American Civil Liberties Union of Southern California, for not acting to curb police intelligence-gathering abuses.

Noting that undercover officers had spied on meetings held at the ACLU headquarters, Ripston said, "I am outraged. We have a police department out of control when it comes to political spying, and I call upon the City Council to take charge of this police department again."

The documents released were written by undercover Officers Connie Milazzo, Jon Dial and Eddie Solomon.

The thrust of the documents concerns the views of individuals and groups seeking to curb police intelligence abuses. Dial carefully detailed to her superiors the strategies planned by those seeking to force disclosure of police intelligence files.

Dial also reported on "a rumor unconfirmed" that activist Marilyn Katz was "having problems with" a Black Panther Party leader in Oakland. "The nature of these problems was not defined as political or personal," Dial wrote.

Milazzo infiltrated the Campaign for Democratic Freedoms and identified herself in one of her reports as a member of its steering committee. The group, now defunct, held conferences at the University of California at Los Angeles on FBI and CIA spying, the Watergate case and the murder of Pres. Kennedy.□

WORLD SCOPE

El Salvador Extends State of Siege

(San Salvador, El Salvador) - El Salvador's ruling civilian-military junta in early July extended for another 30 days the state of siege it imposed four months ago to try and quell mounting political unrest.

The action came as two high officials quit their posts and authorities reported another 27 people killed in political violence.

The state of siege is a form of martial law that limits freedom of speech, travel within El Salvador and across its borders and gives officials the power to make arrests without specifying charges.

In the midst of increasing opposition to the pro-Western regime, Rene Meza resigned as vice minister of public health and agricultural minister official Jose Molina left his post.

Meanwhile, right-wing terrorists shot 14 people to death in machine-gun attacks on two restaurants in the slums of this capital city. The terrorists also were blamed for an earlier bombing at the office here of the progressive Popular Revolutionary Bloc.

At least 50 people were killed in a two-day period in mid-June in clashes between guerillas and government troops.

Earlier, at least 18 people were reported killed in a one-day battle in the northwestern part of the country.

The next day, large banners appeared at the entrances to some of the poorer areas here alerting residents to be "ready for the insurrection. They were signed by an activist group, the Unified Popular Action Front, and its guerrilla wing, the Armed Forces of National Resistance.

Various anti-government guerrilla forces and activist groups here have been threatening to mount a major offensive in the near future.

Witnesses said the 18 were killed in the town of Sensuntepeque, in Cabana Province. A military helicopter brought several wounded soldiers back to a hospital here for treatment. Residents of Sensuntepeque said a nearby town had been surrounded by troops seeking guerrillas and that firing was heavy.

In another action in this capital city, guerrillas attacked the central barracks of the treasury police.

The Human Rights Commission here estimates that about 3,200 Salvadorans have died since the first of the year in the uprising to topple the pro-Western civilian-military junta.



Soldiers line up and shake down civilians on a street in El Salvador's capital city.

New Fred Hampton Trial

CONTINUED FROM PAGE 3

fair reason at all for the judge to deny this to us.

"My lawyers have told me that Judge Perry twice referred to 'all the killing that has taken place in this case already' as his reason for preventing us from learning if there is anybody among the plaintiffs who has been an informant. But the only killings in this case have been the killings of my son and Mark Clark. The judge has also made unspecified references to the 'criminal records' of the plaintiffs, even though I certainly do not have any criminal record, nor do most of the plaintiffs.

"While the judge has said he is worried about protecting the other side's informers, he has not shown any concern for protecting us. We know about the one informant, O'Neal, only because the federal government had to reveal his name in another case and he told how he had been working in the Panthers. He is a very vicious and dangerous man. He admitted in the other case participating in several murders. His gun was used in at least one of those murders. He admitted to torturing someone by putting a plastic bag over his head until he could not breathe.

"When my lawyers went to take his deposition, he threatened to punch one of them, and when they served him with the complaint in this case, he made an obscene gesture to them. I do not understand why Judge Perry is protecting such a man from us when none of us have ever threatened him.

"Judge Perry also would not let my lawyers ask some of the defendants to tell us their addresses. Yet he made the plaintiffs give our addresses in our depositions. This decision seems to me to have been motivated not by any evidence, but again by the judge's preconceived notions of us as dangerous Black Panthers who might do violence against these policemen and officials.

"Although the defendants have no reason to be afraid of us, we are surely afraid of them. They killed my son and Mark Clark. They do not deny this. They shot the apartment at 2337 West Monroe Street full of bullet holes. They shot my son in his bed. I have reason to be afraid of them. I am afraid for my own safety and that of my family. When Judge Perry makes decisions like the ones about people's addresses, I am afraid of him too. He acts like he is with the police. I cannot understand why he would treat us so differently from them unless he felt personally involved in this case.

"Judge Perry has refused to let me or the other plaintiffs see evidence that he has made available to our attorneys. He gave them many police documents, but he said that they could not tell anybody else about them, even including ourselves. My lawyers are acting in my behalf; I have a right to know what they have uncovered. William O'Neal was one of the people in charge of weapons in the Black Panther Party when my son was killed. He was working for the federal government at the time. I believe he is one of the people responsible for my son's death. I am entitled to know what he said.

"I cannot help but think that if we were not Black people with connections to the Black Panther Party, Judge Perry would not treat us like this. I know he says that he is not prejudiced against Black people, but his words and actions show that he is.

"I believe that Judge Perry has shown special favoritism toward the federal government officials whom we have sued. Our lawsuit claims that the raid on my son's apartment was part of a plan called 'COINTELPRO' (Counterintelligence Program) that was used by the federal government against Black people. We have said in our complaint that a purpose of the government was to prevent the rise of a Black 'messiah.' I do not know if they thought of my son as a Black 'messiah,' but he was becoming very well known in the Chicago area, speaking to hundreds and probably thousands of people, and thousands of people came to his funeral.

"It seems clear to me that we ought to be allowed to learn all about these programs because they may well be the reason the raid was conducted. But Judge Perry has not even allowed my lawyers to see the documents which the government admits contain information about COINTELPRO. My lawyers say he has even threatened to prevent us from taking these facts to the jury.

"I believe that if all the facts were known, they would implicate people very high up. I can only think that the judge is protecting them if he will not even allow us to see these papers.

"I think that all of what I have explained here should make it clear that I have no confidence that I will get anything like a fair trial if Judge Perry continues to sit on this case. I also expect that what he



FBI informer WILLIAM O 'NEAL

has done so far will continue throughout the trial, which my lawyers say may very well take six months of more. If that happens, I suppose that a higher court may see fit to give us a new trial next year or the year after. But six years have already gone by, and we do not have the funds to try this case again and again. I believe I am entitled to one fair trial now, as soon as possible.

"I brought this lawsuit to learn once and for all what happened on December 4, 1969, and who was responsible. I have a right to know this; the public also has a right to know it. My lawyers tell me that that is one of the purposes of this kind of lawsuit. Judge Perry has consistently kept much of this information from being revealed to the people. My lawyers tell me that there is very damaging evidence that no one has been allowed to see. If so, the public has a right to know it. The city of Chicago would benefit from the truth being told." □

Senate Bill 1722 Threatens Right To Dissent

CONTINUED FROM PAGE 10

federal building, refusal to open a door to a marshall serving a subpoena, holding a rally in violation of a court order, could all become federal crimes. Sentences/Fines: 1 year—$25,000.

Demonstrating to Influence a Judicial Proceeding—Picketing, parading, displaying a sign, or otherwise demonstrating within 100 feet of a federal courthouse while any judicial proceeding is in progress is prohibited as it is currently. S. 1722 reaffirms that demonstrations around political trials or controversial legal issues such as reproductive rights or affirmative action can be cause for federal prosecution. Sentences/Fines: 1 year—$25,000.

Obstructing a Proceeding by Disorderly Conduct—S. 1722 vastly expands current law by making impairment of *any* federal official proceeding by unreasonably noisy, violent or tumultuous conduct or "similar" means a federal crime. Political activity at any federal government function—a court hearing, Congressional activity, regulatory agency meeting, etc.—could be penalized. Sentences/Fines: 6 months—$25,000.

Conspiracy and Attempt—The planning and discussion of certain activities could become criminal through the Conspiracy offense and a new general Attempt crime. Conspiracy would make criminal the planning of a demonstration or rally that could become a disruption of a government function or a proceeding or could influence the judiciary, even if the demonstration or rally never occurs. Sentences/Fines: dependent upon the "crime" being planned.

Anti-Nuclear Activities—S. 1722 targets anti-nuclear activists and utilities reformers for *special* investigation and prosecution. Any property damage that takes place at a nuclear facility or *any* energy-production or distribution facility could become a new federal crime. The facility need not even be completed or operational. Sentences/Fines: up to 5 years—$250,000 for individuals, $1,000,000 for organizations.

Protecting News Sources—The confidentiality of news sources is vital to a free press. Under S. 1722, as under current law, reporters could be accused of "hindering law enforcement" if they refuse to identify sources or of "defrauding the government" if they disclose government information secretly leaked to them and they had a purpose, in addition to or other than informing the public, such as revealing corruption or influencing government policies. Sentences/Fines: up to 5 years—$250,000.

National Defense or Classified Information—By reenacting the 1917 Espionage Act and the HUAC-written Mundt-Nixon Subversive Activities Control Act of 1950, S. 1722 leaves intact laws which were the product of repressive periods of our history. It also may institute an "Official Secrets Act." These laws were used to prosecute Daniel Ellsberg for releasing the Pentagon Papers and have been interpreted by the Justice Department, in the past, to cover communication, such as publication, of a broad spectrum of information relating to the national defense. Sentences/Fines: up to 10 years—$10,000.

Obscene Material—S. 1722 cements into statutory law the controversial *Miller* decision of the U.S. Supreme Court.

B.P.P. Appeals Dismissal Of Lawsuit Against F.B.I.

CONTINUED FROM PAGE 4

ganization, were tried and convicted for conspiracy in the Carter-Huggins assassination. They escaped in 1974 from the maximum security prison San Quentin, with the assistance of defendants. They have not been apprehended to this date.

"On May 23, 1969, Party member John Savage was shot and killed in San Diego by an alleged US member. Later, on August 14, 1969, two Party members were wounded by an US member. The next day Party member Sylvester Bell was killed in San Diego, California, also allegedly by US members.

"Defendants and their agents placed provocateurs, operatives and informants within plaintiff Party and employed, directed or rewarded said persons to commit violence and incite others within the Party to violence for the purpose, and with the effect, of weakening the Party internally and losing its public support, to wit:

"In 1969 defendants placed an experienced operative or undercover agent in the New Haven Chapter of the Party for the purpose of persuading and directing Party members there to commit unlawful and irrational actions that would damage and discredit the Party.

"Specifically, said operative accused an innocent member of the Party, Alex Rackley, of being a 'police agent,' and then proceeded to direct and participate in his torture-murder. Said operative then turned 'state's evidence' to accuse Party leaders, who had no knowledge of said murder and who deplored it, of ordering Rackley's murder.

"Though this agent or operative was convicted by a jury, the leaders he tried to implicate were not. Nonetheless, immense damage was done to the Party in terms of public reputation, finances and morale of its members and supporters.

"Defendants knew that Huey P. Newton opposed the use of violence except in self-defense. They also knew that he favored the building of Black community power through the implementation of social and economic survival programs and close cooperation with churches and other indigenous institutions.

"Hence, defendants, on information and belief, committed their financial and technical resources and personnel to support Eldridge Cleaver and his followers within the Party who openly advocated the arbitrary use of violence. Defendants supported Cleaver for the purpose and with the effect of weakening or destroying the Party internally and losing it significant public support.

Defendants and their agents not only supported, encouraged and committed violence in the name of plaintiff Party, but also embarked on a deliberate campaign to sabotage and destroy constructive social and economic programs of the Party, to wit:

"An early successful and popular program of plaintiff Party was the provision of free, hot breakfasts to minor children in the Black communities throughout the United States. This program was dependent on efforts of plaintiff Party members and volunteer contributions of food and other provisions from local merchants, businessmen and churches.

"Finding little to objectively criticize about this program other than vague charges about propagandizing the participating children (which simply meant teaching them ideas defendants disliked), defendants and their agents decided to destroy the program.

"In 1969 an alleged member of the Party residing in Sacramento, California, drew up a so-called 'comic book' depicting police as caricature 'pigs' for purposes of political propaganda, and sent it to the Oakland, California, headquarters of the Party for review and comment. This 'comic book' was then reviewed and rejected for publication or circulation by the leadership of the Party because it was thought to be non-reflective of Party philosophy, too crude and in bad taste.

"An operative or informant, however, stole one of the few drafts of this proposed publication and delivered it to FBI defendants and their agents who added captions that advocated violence, printed thousands of copies bearing plaintiff Party's name, and circulated them throughout the country, particularly to merchants and businesses contributing to the breakfast program.

"Churches which assisted the plaintiff Party in its breakfast program were harassed by defendants and their agents and deterred from continuing support. In 1969, for example, the San Diego office of defendant FBI officials placed telephone calls and wrote anonymous letters to the Auxiliary Bishop of the San Diego Diocese of the Catholic Church falsely claiming to be parishoners upset about Father Frank Curran's support of the breakfast program. Within one month of these calls and other injurious actions taken by defendants, Father Curran was transferred from the San Diego Diocese to the state of New Mexico. Defendant FBI officials and their agents reported in their internal memoranda that Father Curran had been "neutralized" and that the breakfast program in San Diego had been destroyed.

Another constructive program that the plaintiff Party has undertaken to the displeasure of defendants and their agents is the free testing of Black and other subject persons for sickle cell anemia. To destroy this program, which was centered in Oakland, California, defendants urged local police in Oakland and surrounding communities to arrest for unlawful solicitation plaintiff Party members who sought street donations to the Sickle Cell program.

"In addition, defendants and their agents, on information and belief, contacted local media people and persuaded them to publish articles and broadcasts falsely attacking the legitimacy of plaintiff Party's Sickle Cell Anemia program so as to reduce contributions to the program.

"Defendants and their agents interfered with and suppressed plaintiff Party members' and associates' rights to express their views to the public and misrepresented their true views to the public for the purpose, and with the effect, of losing the Party political and financial support, to wit:

"Colleges, universities and other institutions that invited representatives of the Party to speak and answer questions were contacted by defendants and their agents and urged to cancel the engagements.

"Defendants and their agents compiled information containing half-truths and out-right fabrications and disseminated this information to friendly sources within local radio and television stations and newspapers throughout the country so that false and harmful stories about the Party, its leaders and activities would be conveyed to the public.

"All of the acts complained of herein were committed by defendants and their agents, individually and in concert, and were done wilfully, intentionally, maliciously, in bad faith and with a knowing and reckless disregard of plaintiffs' constitutional rights."□





YOU CAN HELP IN THE FIGHT TO STOP COINTELPRO

Your contributions are needed to pay legal costs to bring the Black Panther Party's lawsuit against the F.B.I., C.I.A. and other federal government agencies to trial.



Make checks payable to:
THE COMMITTEE FOR JUSTICE FOR HUEY P. NEWTON
AND THE BLACK PANTHER PARTY
7622 MacArthur Boulevard
Oakland, California 94605

(Contributions of $100 or more are tax deductible and should be payable to the American Civil Liberties Union Foundation, specified for the B.P.P. lawsuit)

FOR FURTHER INFORMATION, CALL: (415) 638-0197





THE U.S. GOVERNMENT MURDERED THESE PEOPLE BECAUSE THEY WERE MEMBERS OF THE BLACK PANTHER PARTY



(A) HUEY marches into graduation ceremony with U.C. Santa Cruz candidates for master's and doctoral degrees. (B) University Chancellor ROBERT L. SINSHEIMER (right) confers Ph.D. degree on Huey as his major adviser, Prof. TRILOKI PANDEY (left), looks on. (C) After graduation, Huey receives congratulations from U.C. faculty member Dr. NOEL KING. (D) Huey and his longtime friend and attorney, CHARLES GARRY. (E) Huey's wife GWEN and their son RONNIE pose with the proud graduate. (F) Mrs. ARMELIA NEWTON (center), mother of the Black Panther Party leader, looks at gift for her son. (G) Oakland Tribune columnist SIDNEY JONES (left) and businessman BILL McCRARY chat with Huey. (H) Huey's brother MELVIN NEWTON, Prof. Pandey and Huey's daughter JESSICA.

DOCTORAL DISSERTATION EXPOSES ''WAR AGAINST THE PANTHERS''

HUEY RECEIVES Ph. D. FROM UNIVERSITY OF CALIFORNIA

(Santa Cruz, Calif.) - Following three years of study—during which he underwent three lengthy trials—Huey P. Newton received his Ph.D. from the University of California here in June. The Black Panther Party founder and president, 38, earned his doctorate from the campus' interdisciplinary History of Consciousness program, which focuses on the study of social philosophy.

''War Against The Panthers: A Study of Repression in America,'' was the title of Huey's doctoral dissertation, the research paper required of Ph.D. recipients. The 175-page paper utilized FBI, CIA and other government documents as well as books and articles to document the U.S. government's historical repression of organizations opposed to the existing order and focused on the government's activities to destroy the Black Panther Party since its founding in 1966.